



Attorney Docket No. 2300-20030 (PP20030.003)

PATENT

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By:

Terri Davis-Smyth
Terri Davis-Smyth

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of SHYAMALA

Serial No.: 10/729,421

Examiner: Unassigned

Confirmation No.:

Art Unit: Unassigned

Filed: December 5, 2003

For: IDENTIFICATION OF OLIGONUCLEOTIDES FOR THE CAPTURE,
DETECTION AND QUANTITATION OF WEST NILE VIRUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, copies of documents AC1-AC8 cited in the attached Form PTO/SB/08 are enclosed.
- ☐ No copies of publications __ listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. __ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☒ No copy of publication AA1 is being provided pursuant Office waiver of 37 C.F.R. §1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003.

- ☐ Publication(s) _____ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to _____ application serial no. _____ and mailed on _____.
- ☐ Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) ____ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) ____ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. _____.

This Information Disclosure Statement is filed within any one of the following time periods:

- ☐ within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- ☐ within three months from the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in this international application;
- ☒ before the mailing date of a first office action on the merits; or
- ☐ before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

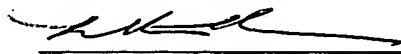
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 1/23/04

Respectfully submitted,

Robins & Pasternak LLP
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Tel: (650) 493-3400
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By: _____


Roberta L. Robins
Reg. No. 33,208



Attorney Docket No. 2300-20030 (PP20030.003)

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INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- ☒ In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- ☐ In accordance with 37 C.F.R. §1.97(c), also enclosed is:
- ☐ the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
- ☐ a statement as specified in 37 C.F.R. §1.97(e).
- ☐ In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. §1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
- ☐ Check No. ___ in the amount of \$___ for the total fee is attached.

☒ [X] A return receipt postcard is also enclosed.

☐ [] Please charge \$_____ to Deposit Account No. 18-1648 for the total fee.
This paper is being submitted in duplicate.


The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 18-1648.

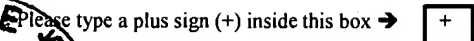
Dated: 1/23/04


Respectfully submitted,

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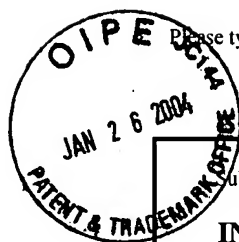


<div style="text-align: right;">  </div> <p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(use as many sheets as necessary)</i></p>				<i>Complete if Known</i>	
				Application Number	10/729,421
				Filing Date	December 5, 2003
				First Named Inventor	SHYAMALA
				Group Art Unit	
				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	2300-20030 (PP20030.003)

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)			

Examiner Signature		Date Considered	
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⁶ Applicant is to place a check mark here if English language Translation is attached.



Please type a plus sign (+) inside this box →



PTO/SB/08A (08-00)

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				<i>Complete if Known</i>	
				Application Number	10/729,421
				Filing Date	December 5, 2003
				First Named Inventor	SHYAMALA
				Group Art Unit	
Examiner Name					
Sheet	2	of	2	Attorney Docket Number	2300-20030 (PP20030.003)

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ¹	
	AC1	ANDERSON et al., "ISOLATION OF WEST NILE VIRUS FROM MOSQUITOES, CROWS, AND A COOPER'S HAWK IN CONNECTICUT", <i>Science</i> (1999) <u>286</u> : 2331-2333		
	AC2	BERTHET et al., "EXTENSIVE NUCLEOTIDE CHANGES AND DELETIONS WITHIN THE ENVELOPE GLYCOPROTEIN GENE OF EURO-AFRICAN WEST NILE VIRUSES", <i>J. of General Virol.</i> (1997) <u>78</u> : 2293-2297.		
	AC3	BRIESE et al., "DETECTION OF WEST NILE VIRUS SEQUENCES IN CEREBROSPINAL FLUID", <i>The Lancet</i> (2000) <u>355</u> : 1614-1615.		
	AC4	BRINTON, "THE MOLECULAR BIOLOGY OF WEST NILE VIRUS: A NEW INVADER OF THE WESTERN HEMISPHERE", <i>Ann. Rev. Microbiol.</i> (2002), <u>56</u> : 371-402.		
	AC5	BURT et al., "PHYLOGENETIC RELATIONSHIPS OF SOUTHERN AFRICAN WEST NILE VIRUS ISOLATES", <i>Emerging Infectious Diseases</i> (2002) <u>8</u> (8): 820-826.		
	AC6	LANCIOTTI et al., "ORIGIN OF THE WEST NILE VIRUS RESPONSIBLE FOR AN OUTBREAK OF ENCEPHALITIS IN THE NORTHEASTERN UNITED STATES", <i>Science</i> (1999), <u>286</u> : 2333-2337.		
	AC7	LANCIOTTI et al., "RAPID DETECTION OF WEST NILE VIRUS FROM HUMAN CLINICAL SPECIMENS, FIELD-COLLECTED MOSQUITOES, AND AVIAN SAMPLES BY A TAQMAN REVERSE TRANSCRIPTASE-PCR ASSAY", <i>J. Clin. Microbiol.</i> (2000) <u>38</u> : 4066-4071.		
	AC8	LANCIOTTI et al., "NUCLEIC ACID SEQUENCE-BASED AMPLIFICATION ASSAYS FOR RAPID DETECTION OF WEST NILE AND ST. LOUIS ENCEPHALITIS VIRUSES", <i>J. Clin. Microbiol.</i> (2001) <u>39</u> : 4506-4513.		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

¹ Applicant is to place a check mark here if English language Translation attached.